

PATENT

Case Docket No. UC083.001CP2

Date: October 30, 2002

Page 1

In re application of : Tsien et al.
App. No. 09 866,538
Filed May 24, 2001
For NON-OLIGOMERIZING
TANDEM FLUORESCENT
PROTEINS
Examiner Chih-Min Kam
Art Unit : 1653

) I hereby certify that this correspondence and all
) marked attachments are being deposited with the
) United States Postal Service as first class mail in
) an envelope addressed to: United States Patent
) and Trademark Office, P.O. 2327, Arlington, VA
) 22202, on

October 30, 2002

(Date)

Ginger R. Dreger, Reg. No. 33,055

UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. Box 2327
Arlington, VA 22202

RECEIVED

NOV 06 2002

TECH CENTER 1600/2900

Sir:

Transmitted herewith is an amendment and response to election restriction requirement in the above-identified application.

The fee has been calculated as shown below:

CLAIMS AS FILED

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE
Total Claims	66	87	= 0 ×	\$9	= \$0
Independent Claims	1	3	= 0 ×	\$42	= \$0
If application has been amended to contain multiple dependent claim(s), then add				\$140	= \$0
Time Extension Fee					\$0
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0

(X) The present application qualifies for small entity status under 37 C.F.R. § 1.27.

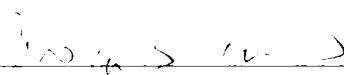
PATENT

Case Docket No. UC083.001CP2

Date: October 30, 2002

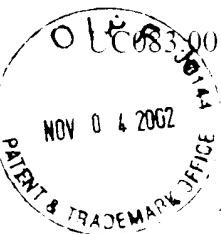
Page 2

-
- (X) Return prepaid postcard.
- (X) Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.



Ginger R. Dreger
Registration No. 33,055
Attorney of Record
Customer No. 20,995
(415) 954-4114

PA-301S
W:\DOCS\FJD\1426\DOC
103002



083001CP2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) Tsien *et al.*)
)
Appl. No. : 09 866.538)
)
Filed May 24, 2001)
)
For : NON-OLIGOMERIZING)
 TANDEM FLUORESCENT)
 PROTEINS)
)
Examiner : Chih-Min Kam)
)
Group Art Unit : 1653)

RECEIVED

NOV 06 2002

TECH CENTER 1600/2900

AMENDMENT AND RESPONSE TO ELECTION/RESTRICTION REQUIREMENT

US PATENT AND TRADEMARK OFFICE
PO Box 2327
Arlington, VA 22202

Dear Sir:

The present communication is responsive to the Office Action mailed on September 30, 2002 (Paper No. 10). That Office Action set a shortened statutory period for reply of one month. The present communication satisfies the Examiner's requirement for Election/Restriction.

Applicant's request that the application be amended as follows.

AMENDMENT

In accordance with 37 C.F.R. § 1.121, please amend the application as follows.

IN THE CLAIMS:

Please cancel originally filed claims 1-87, without prejudice.

Please insert new claims 88-153, as provided below.

88. (New) A polynucleotide encoding a non-oligomerizing tandem fluorescent protein, wherein the non-oligomerizing tandem fluorescent protein comprises a first monomer of